

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:14-mc-00551-ESH-AK**

IN RE: RULE 45 SUBPOENAS  
Assigned to: Judge Ellen S. Huvelle  
Referred to: Magistrate Judge Alan Kay  
Case in other court: USDC for the Southern District of New York, 1:13-cv-06326

Date Filed: 05/22/2014  
Jury Demand: None  
Nature of Suit: 890 Other Statutory Actions  
Jurisdiction: Federal Question

Cause: Motion to Quash Subpoenas

**In Re**

**RULE 45 SUBPOENAS**

**Non-Party Petitioner**

**HERMITAGE GLOBAL PARTNERS  
LP**

represented by **Paul F. Enzinna**  
BROWN RUDNICK, LLP  
601 13th Street, NW  
Suite 600  
Washington, DC 20005  
(202) 536-1732  
Fax: (617) 289-0512  
Email: [penzinna@brownrudnick.com](mailto:penzinna@brownrudnick.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Non-Party Petitioner**

**WILLIAM BROWDER**  
*DIRECTOR OF HERMITAGE GLOBAL  
PARTNERS LP*

represented by **Paul F. Enzinna**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**UNITED STATES OF AMERICA**

represented by **Micah William Janso Smith**  
U.S. ATTORNEY'S OFFICE  
South District of New York  
1 St. Andrew's Plaza  
New York, NY 10007  
(212) 637-2439  
Email: [micah.smith@usdoj.gov](mailto:micah.smith@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**PREVEZON HOLDINGS LTD.**

represented by **Kyle Aaron Clark**  
BAKER BOTTS, LLP  
The Warner Building  
1299 Pennsylvania Avenue, NW  
Suite 1300  
Washington, DC 20004-2400  
(202) 639-1320  
Fax: (202) 585-1034  
Email: [kyle.clark@bakerbotts.com](mailto:kyle.clark@bakerbotts.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Vernon Anthony Andrew Cassin , III**

BAKER BOTTS, LLP  
The Warner Building  
1299 Pennsylvania Avenue, NW  
Suite 1300  
Washington, DC 20004-2400  
(202) 639-7700  
Fax: (202) 508-9321  
Email: [vernon.cassin@bakerbotts.com](mailto:vernon.cassin@bakerbotts.com)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**PREVEZON ALEXANDER, LLC**

represented by **Kyle Aaron Clark**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Vernon Anthony Andrew Cassin , III**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**PREVEZON SOHO USA, LLC**

represented by **Kyle Aaron Clark**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Vernon Anthony Andrew Cassin , III**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**PREVEZON SEVEN USA, LLC**

represented by **Kyle Aaron Clark**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Vernon Anthony Andrew Cassin , III**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**PREVEZON PINE USA, LLC**

represented by **Kyle Aaron Clark**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Vernon Anthony Andrew Cassin , III**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**PREVEZON 1711 USA, LLC**

represented by **Kyle Aaron Clark**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Vernon Anthony Andrew Cassin , III**

(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**PREVEZON 181 0, LLC**

represented by **Kyle Aaron Clark**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Vernon Anthony Andrew Cassin , III**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**PREVEZON 2009 USA, LLC**

represented by **Kyle Aaron Clark**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Vernon Anthony Andrew Cassin , III**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**PREVEZON 2011 USA, LLC**

represented by **Kyle Aaron Clark**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Vernon Anthony Andrew Cassin , III**  
 (See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Defendant**

**FERENCOI INVESTMENTS, LTD.**

**Defendant**

**KOLEVINS, LTD.**

Date Filed	#	Docket Text
05/22/2014	<u>1</u>	MOTION to Quash DEPOSITION SUBPOENAS AND TO A WARD FEES by WILLIAM BROWDER, HERMITAGE GLOBAL PARTNERS LP (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit A to Hermitage Global Memo of Law in support of Motion to Quash, # <u>3</u> Exhibit B to Hermitage Global Memo of Law in support of Motion to Quash, # <u>4</u> Exhibit C to Hermitage Global Memo of Law in Support of Motion to Quash, # <u>5</u> Certificate of Service, # <u>6</u> Text of Proposed Order)(rdj). (Entered: 05/27/2014)
05/22/2014		Filing fee: re <u>1</u> \$ 46.00, receipt number 4616063894 (rdj) (Entered: 05/27/2014)
05/22/2014	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by WILLIAM BROWDER, HERMITAGE GLOBAL PARTNERS LP (rdj) (Entered: 05/27/2014)
05/22/2014	<u>3</u>	NOTICE OF RELATED CASE by WILLIAM BROWDER, HERMITAGE GLOBAL PARTNERS LP. Case related to Case in USDC for the Southern District of New York. (rdj) (Entered: 05/27/2014)

05/22/2014	<u>4</u>	MOTION to Compel by PREVEZON 1711 USA, LLC, PREVEZON 181 0, LLC, PREVEZON 2009 USA, LLC, PREVEZON 2011 USA, LLC, PREVEZON ALEXANDER, LLC, PREVEZON HOLDINGS LTD., PREVEZON PINE USA, LLC, PREVEZON SEVEN USA, LLC, PREVEZON SOHO USA, LLC (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration of Seth Taube, # <u>3</u> Exhibit Part 1 of 13, # <u>4</u> Exhibit Part 2 of 13, # <u>5</u> Exhibit Part 3 of 13, # <u>6</u> Exhibit Part 4 of 13, # <u>7</u> Exhibit Part 5 of 13, # <u>8</u> Exhibit Part 6 of 13, # <u>9</u> Exhibit Part 7 of 13, # <u>10</u> Exhibit Part 8 of 13, # <u>11</u> Exhibit Part 9 of 13, # <u>12</u> Exhibit Part 10 of 13, # <u>13</u> Exhibit Part 11 of 13, # <u>14</u> Exhibit Part 12 of 13, # <u>15</u> Exhibit Part 13 of 13, # <u>16</u> Text of Proposed Order)(td, ) (Entered: 05/28/2014)
05/22/2014	<u>5</u>	MOTION to transfer subpoena-related motions to the U.S. District Court for the Southern District of New York by PREVEZON 1711 USA, LLC, PREVEZON 181 0, LLC, PREVEZON 2009 USA, LLC, PREVEZON 2011 USA, LLC, PREVEZON ALEXANDER, LLC, PREVEZON HOLDINGS LTD., PREVEZON PINE USA, LLC, PREVEZON SEVEN USA, LLC, PREVEZON SOHO USA, LLC (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration Seth Taube, # <u>3</u> Exhibit, # <u>4</u> Text of Proposed Order)(td, ) (Entered: 05/28/2014)
05/22/2014	<u>6</u>	NOTICE of Appearance by Kyle Aaron Clark on behalf of PREVEZON 1711 USA, LLC, PREVEZON 181 0, LLC, PREVEZON 2009 USA, LLC, PREVEZON 2011 USA, LLC, PREVEZON ALEXANDER, LLC, PREVEZON HOLDINGS LTD., PREVEZON PINE USA, LLC, PREVEZON SEVEN USA, LLC, PREVEZON SOHO USA, LLC (td, ) (Entered: 05/28/2014)
05/22/2014	<u>7</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by PREVEZON 1711 USA, LLC, PREVEZON 181 0, LLC, PREVEZON 2009 USA, LLC, PREVEZON 2011 USA, LLC, PREVEZON PINE USA, LLC, PREVEZON SEVEN USA, LLC, PREVEZON SOHO USA, LLC identifying Corporate Parent PREVEZON HOLDINGS LTD for PREVEZON 1711 USA, LLC, PREVEZON 181 0, LLC, PREVEZON 2009 USA, LLC, PREVEZON 2011 USA, LLC, PREVEZON PINE USA, LLC, PREVEZON SEVEN USA, LLC, PREVEZON SOHO USA, LLC. (td, ) (Entered: 05/28/2014)
05/22/2014	<u>8</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by PREVEZON HOLDINGS LTD. identifying Corporate Parent NONE for PREVEZON HOLDINGS LTD.. (td, ) (Entered: 05/28/2014)
05/22/2014	<u>9</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by PREVEZON ALEXANDER, LLC identifying Corporate Parent PREVEZON HOLDINGS LTD for PREVEZON ALEXANDER, LLC. (td, ) (Entered: 05/28/2014)
05/27/2014		MINUTE ORDER REFERRING CASE to a Magistrate Judge: Pursuant to Local Civil Rules 72.1(b)(7) and 72.2(a), it is hereby ORDERED that this matter is referred to United States Magistrate Judge Alan Kay for determination. On any filing related to this matter, the parties shall place the initials of Judge Ellen Segal Huvelle and the initials of the assigned Magistrate Judge following the case number in the caption. SO ORDERED. Signed by Judge Ellen S. Huvelle on May 27, 2014. (AG) (Entered: 05/27/2014)
05/27/2014	<u>11</u>	CASE DIRECTLY REFERRED to Magistrate Judge Alan Kay for determination pursuant to Local Civil Rules 72.1(b)(7) and 72.2(a). (kb) (Entered: 06/05/2014)
05/30/2014	<u>10</u>	MOTION for Extension of Time to <i>/Consent Motion for Enlargement of Time to Oppose Motions Filed on May 22, 2014</i> by HERMITAGE GLOBAL PARTNERS LP (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Enzinna, Paul) (Entered: 05/30/2014)
06/05/2014		MINUTE ORDER granting <u>10</u> Consent Motion for Extension of Time to File Oppositions to the motions filed on May 22, 2014. Hermitage Global shall file its opposition to the motion to compel and motion to transfer by June 10, 2014. The SDNY Defendants shall file their opposition to the motion to quash by June 10, 2014. All replies are due by June 20, 2014. Signed by Magistrate Judge Alan Kay on 06/05/14. (DM) (Entered: 06/05/2014)

06/05/2014		Set/Reset Deadlines : Responses in Opposition to Motions due by 6/10/14; Replies due by 6/20/14. (kk) (Entered: 06/05/2014)
06/05/2014		Set/Reset Deadlines/Hearings: Hermitage Global responses to <u>4</u> and <u>5</u> due by 6/10/2014. SDNY Defendants response to <u>1</u> due by 6/10/2014. Replies due by 6/20/2014. (cdw) (Entered: 06/06/2014)
06/10/2014	<u>12</u>	Memorandum in opposition to re <u>1</u> MOTION to Quash filed by PREVEZON 1711 USA, LLC, PREVEZON 181 0, LLC, PREVEZON 2009 USA, LLC, PREVEZON 2011 USA, LLC, PREVEZON ALEXANDER, LLC, PREVEZON HOLDINGS LTD., PREVEZON PINE USA, LLC, PREVEZON SEVEN USA, LLC, PREVEZON SOHO USA, LLC. (Attachments: # <u>1</u> Declaration of Seth Taube in Support of Opposition to Motion of Non-Party Hermitage Global Partners LP's to Quash, # <u>2</u> Text of Proposed Order)(Clark, Kyle) (Entered: 06/10/2014)
06/10/2014	<u>13</u>	Memorandum in opposition to re <u>5</u> MOTION to transfer subpoena-related motions to the U.S. District Court for the Southern District of New York filed by HERMITAGE GLOBAL PARTNERS LP. (Attachments: # <u>1</u> Text of Proposed Order)(Enzinna, Paul) . (Entered: 06/10/2014)
06/10/2014	<u>14</u>	MOTION to Quash by UNITED STATES OF AMERICA (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Notice to Counsel/Party, # <u>3</u> Text of Proposed Order)(Smith, Micah) (Entered: 06/10/2014)
06/10/2014	<u>15</u>	Memorandum in opposition to re <u>4</u> MOTION to Compel filed by HERMITAGE GLOBAL PARTNERS LP. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Text of Proposed Order)(Enzinna, Paul) (Entered: 06/10/2014)
06/16/2014	<u>16</u>	Consent MOTION for Extension of Time to <i>Reply to Oppositions and to Respond to Motion Filed on June 10, 2014</i> by PREVEZON 1711 USA, LLC, PREVEZON 181 0, LLC, PREVEZON 2009 USA, LLC, PREVEZON 2011 USA, LLC, PREVEZON ALEXANDER, LLC, PREVEZON HOLDINGS LTD., PREVEZON PINE USA, LLC, PREVEZON SEVEN USA, LLC, PREVEZON SOHO USA, LLC (Attachments: # <u>1</u> Text of Proposed Order)(Clark, Kyle) (Entered: 06/16/2014)
06/18/2014	<u>17</u>	ORDER granting <u>16</u> Defendants' Consent Motion for Extension of Time to Reply to Oppositions and to Respond to Motion Filed on 6/10/14 : Defendants' Reply to Opposition by Petitioners HERMITAGE GLOBAL PARTNERS and WILLIAM BROWDER to Defendants' Motion to Compel <u>4</u> due by 6/27/14; Defendants' Response in Opposition to Motion by Plaintiff USA to Quash in Part <u>14</u> due by 6/27/14; Reply by Petitioners HERMITAGE GLOBAL PARTNERS and WILLIAM BROWDER to Defendants' Response in Opposition to Petitioners' Motion to Quash <u>1</u> due by 6/27/14; Reply by Plaintiff USA to Defendants' Response in Opposition to Plaintiff's Motion to Quash in Part <u>14</u> due by 7/11/14; signed by Magistrate Judge Alan Kay on 6/17/14. (kk) (Entered: 06/18/2014)
06/20/2014	<u>18</u>	REPLY to opposition to motion re <u>5</u> MOTION for Order to <i>Transfer Subpoena-Related Motions to the U.S. District Court for the Southern District of New York</i> filed by PREVEZON 1711 USA, LLC, PREVEZON 181 0, LLC, PREVEZON 2009 USA, LLC, PREVEZON 2011 USA, LLC, PREVEZON ALEXANDER, LLC, PREVEZON HOLDINGS LTD., PREVEZON PINE USA, LLC, PREVEZON SEVEN USA, LLC, PREVEZON SOHO USA, LLC. (Clark, Kyle) (Entered: 06/20/2014)
06/23/2014	<u>19</u>	NOTICE of Address of Party as Per LCvR 11.1 by HERMITAGE GLOBAL PARTNERS LP (Enzinna, Paul) (Entered: 06/23/2014)
06/27/2014	<u>20</u>	REPLY to opposition to motion re <u>1</u> MOTION to Quash / <i>Reply Memorandum of Points and Authorities in Further Support of Motion of Non-Party Hermitage Global Partners LP to Quash Deposition Subpoenas and to Award Fees</i> filed by HERMITAGE GLOBAL PARTNERS LP. (Attachments: # <u>1</u> Exhibit A)(Enzinna, Paul) (Entered: 06/27/2014)
06/27/2014	<u>21</u>	REPLY to opposition to motion re <u>4</u> MOTION to Compel filed by PREVEZON 1711 USA, LLC, PREVEZON 181 0, LLC, PREVEZON 2009 USA, LLC, PREVEZON 2011 USA, LLC, PREVEZON ALEXANDER, LLC, PREVEZON



		HOLDINGS LTD., PREVEZON PINE USA, LLC, PREVEZON SEVEN USA, LLC, PREVEZON SOHO USA, LLC. (Attachments: # <u>1</u> Declaration of Seth T. Taube, # <u>2</u> Exhibit 1 to Taube Declaration, # <u>3</u> Exhibit 2 to Taube Declaration, # <u>4</u> Exhibit 3 to Taube Declaration, # <u>5</u> Exhibit 4 to Taube Declaration, # <u>6</u> Exhibit 5 to Taube Declaration)(Clark, Kyle) (Entered: 06/27/2014)
06/27/2014	<u>22</u>	Memorandum in opposition to re <u>1</u> MOTION to Quash filed by PREVEZON 1711 USA, LLC, PREVEZON 181 0, LLC, PREVEZON 2009 USA, LLC, PREVEZON 2011 USA, LLC, PREVEZON ALEXANDER, LLC, PREVEZON HOLDINGS LTD., PREVEZON PINE USA, LLC, PREVEZON SEVEN USA, LLC, PREVEZON SOHO USA, LLC. (Attachments: # <u>1</u> Text of Proposed Order)(Clark, Kyle) (Entered: 06/27/2014)
07/11/2014	<u>23</u>	REPLY to opposition to motion re <u>14</u> MOTION to Quash filed by UNITED STATES OF AMERICA. (Smith, Micah) (Entered: 07/11/2014)
08/01/2014	<u>24</u>	NOTICE of Appearance by Vernon A.A. Cassin, III on behalf of PREVEZON 1711 USA, LLC, PREVEZON 181 0, LLC, PREVEZON 2009 USA, LLC, PREVEZON 2011 USA, LLC, PREVEZON ALEXANDER, LLC, PREVEZON HOLDINGS LTD., PREVEZON PINE USA, LLC, PREVEZON SEVEN USA, LLC, PREVEZON SOHO USA, LLC (Cassin, Vernon) (Entered: 08/01/2014)
08/04/2014	<u>25</u>	NOTICE OF SERVICE OF RULE 45 SUBPOENA ON WILLIAM BROWDER by PREVEZON 1711 USA, LLC, PREVEZON 181 0, LLC, PREVEZON 2009 USA, LLC, PREVEZON 2011 USA, LLC, PREVEZON ALEXANDER, LLC, PREVEZON HOLDINGS LTD., PREVEZON PINE USA, LLC, PREVEZON SEVEN USA, LLC, PREVEZON SOHO USA, LLC re <u>5</u> MOTION for Order (Clark, Kyle) (Entered: 08/04/2014)
08/08/2014	<u>26</u>	MEMORANDUM ORDER granting <u>5</u> Motion to Transfer Subpoena-Related Motions (docketed at <u>1</u> , <u>4</u> , and <u>14</u> ) to the U.S. District Court for the Southern District of New York. Signed by Magistrate Judge Alan Kay on 08/08/14. (DM) (Entered: 08/08/2014)
09/10/2014	<u>27</u>	MOTION to Clarify or Correct Order Granting Motion to Transfer Subpoena-Related Motions by HERMITAGE GLOBAL PARTNERS LP (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Text of Proposed Order)(Enzinna, Paul) (Entered: 09/10/2014)
09/11/2014	<u>28</u>	AMENDED MEMORANDUM ORDER granting <u>5</u> Motion to Transfer Subpoena-Related Motions ( <u>1</u> , <u>4</u> , <u>14</u> ) to the United States District Court for the Southern District of New York. This Memorandum Order is amended, at footnote 3, in response to Non-Party Hermitage Global's Motion to Clarify <u>27</u> , and otherwise remains the same as the Memorandum Order docketed at <u>26</u> . Signed by Magistrate Judge Alan Kay on 09/11/14. (DM, ) (Entered: 09/11/2014)
09/11/2014		MINUTE ORDER granting <u>27</u> Motion to Clarify. The Court has entered an Amended Memorandum Order <u>28</u> that replaced Memorandum Order <u>26</u> and clarifies former footnote 2, which is now footnote 3. Signed by Magistrate Judge Alan Kay on 09/11/14. (DM) (Entered: 09/11/2014)
09/22/2014		Subpoena-Related Motions ( <u>1</u> , <u>4</u> , <u>14</u> ) transferred to the United States District Court for the Southern District of New York, pursuant to Court Order entered 09/11/2014. Sent to Court Electronically. (rdj) (Entered: 09/22/2014)
09/22/2014	<u>29</u>	NOTICE of Extraction of Subpoena-Related Motions ( <u>1</u> , <u>4</u> , <u>14</u> ) transferred to United States District Court for the Southern District of New York (rdj) (Entered: 09/22/2014)